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PATENT

Atty. Docket No.
ARC3060 USA R1
(AZ0014)
CN 27777

☐ transmitted by facsimile to the Patent and Trademark Office, Fax Number _____

Date: April 28, 2004 By: Jolanta Pence
Jolanta Pence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Scott D. Lautenbach

Serial No.: 10/606,407

Filed: June 25, 2003

For: **MINIMALLY COMPLIANT, VOLUME
EFFICIENT PISTON FOR OSMOTIC
DRUG DELIVERY SYSTEMS**

Group Art Unit: Unassigned

Examiner: Unassigned

**INFORMATION DISCLOSURE
STATEMENT**

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the

mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references, which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750.

Date: April 28, 2004

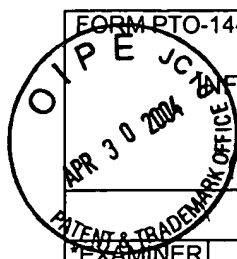
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Respectfully submitted,


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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		INFORMATION DISCLOSURE STATEMENT FOR PATENT		ATTY. DOCKET NO.: ARC 3060 R1/ AZ0014		SERIAL NO.: 10/606,407	
Use several sheets if necessary)				APPLICANT: Scott D. Lautenbach			
				FILING DATE: June 25, 2003		GROUP: Unassigned	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
	1	4,753,651	06/28/1988	Eckenhoff	424	449	08/30/1982
	2	4,765,989	08/23/1988	Wong et al.	424	473	09/02/1986
	3	4,874,388	10/17/1989	Wong et al.	604	891.1	07/25/1987
	4	4,969,884	11/13/1990	Yum	604	892.1	12/28/1988
	5	5,030,216	07/09/1991	Theeuwes	604	892.1	12/15/1989
	6	5,034,229	07/23/1991	Margruder et al.	424	422	12/13/1988
	7	5,137,727	08/11/1992	Eckenhoff	424	422	06/12/1991
	8	5,180,591	01/19/1993	Margruder et al.	424	473	07/11/1990
	9	5,209,746	05/11/1993	Balaban et al.	604	892.1	02/18/1992
	10	5,221,278	06/22/1993	Linkwitz et al.	604	890.1	03/12/1992
	11	5,234,424	08/10/1993	Yum et al.	604	892.1	06/25/1991
	12	5,234,692	08/10/1993	Margruder et al.	424	473	09/02/1992
	13	5,308,348	05/03/1994	Balaban et al.	604	892.1	05/05/1993
	14	5,318,558	07/07/1994	Linkwitz et al.	604	892.1	12/01/1992
	15	5,324,280	06/28/1994	Wong at al.	604	892.1	04/02/1990
	16	5,540,665	07/30/1996	Mercado et al.	604	145	01/31/1994
	17	5,456,679	10/10/1995	Balaban et al.	604	892.1	12/07/1994
	18	5,531,736	07/02/1996	Wong at al.	604	892.1	04/19/1995
	19	5,690,952	11/25/1997	Margruder et al.	424	423	06/07/1995
	20	5,728,088	03/17/1998	Margruder et al.	604	892.1	07/01/1994
	21	5,728,396	03/17/1998	Peery et al.	424	422	01/30/1997
	22	5,795,591	08/18/1998	Lee et al.	424	473	09/01/1994
	23	5,861,166	01/19/1999	Eckenhoff	424	422	09/30/1993
	24	5,871,770	02/16/1999	Margruder et al.	424	423	10/08/1997
	25	5,985,305	11/16/1999	Peery et al.	424	422	10/02/1997
	26	5,997,527	12/07/1999	Gumucio et al.	604	892.1	03/23/1998
	27	6,132,420	10/17/2000	Dionne et al.	604	892.1	11/14/1997
	28	6,156,331	12/05/2000	Peery et al.	424	422	05/12/1999
	29	6,217,906 B1	04/17/2001	Gumucio et al.	424	473	09/17/1999
	30	6,261,584 B1	07/17/2001	Peery et al.	424	422	08/04/1999
	31	6,287,295 B1	09/11/2001	Chen et al.	604	892.1	07/24/1998
	32	6,395,292 B2	05/28/2002	Peery et al.	424	422	05/04/2001
	33	2001/0036472 A1	11/01/2001	Wong et al.	424	456	05/25/2001
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO
	34	99 33446	07/08/1999	WO			
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



<p align="center">SUBMISSION UNDER MPEP 609 D</p> <p align="center">Page 1 of 1</p>	<i>Application Number</i>	10/606,407
	<i>Filing Date</i>	June 25, 2003
	<i>First Named Inventor</i>	Scott D. Lautenbach
	<i>Group Art Unit</i>	Unassigned
	<i>Examiner Name</i>	Unassigned
	<i>Attorney Docket Number</i>	ARC3060R1/AZ0014

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code ² (if known)	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
			Office ³	Number ⁴	KindCode ⁵		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		International Search Report dated November 4, 2003 for corresponding Appln. No. PCT/US03/21361	
Examiner Signature			
		Date Considered	